## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Barta et al.

RAD Ppl. No.: 10/646,375

Filed:

August 20, 2003

For:

PARCEL DELIVERY NOTICE

Confirmation No.: 8577

Group Art Unit:

2876

Examiner:

Lisa M. Caputo

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## SUBMISSION OF TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

Applicant hereby submits the enclosed Terminal Disclaimer Under 37 C.F.R. § 1.321(c) for the above referenced application. Please charge Deposit Account No. 16-0605 in the amount of \$110.00 for a large entity 37 C.F.R. § 1.20(d) to cover the fee for filing a Terminal Disclaimer. The Examiner is authorized to charge Deposit Account No. 16-0605 for any additional fee that may be required or credit any overpayment.

Respectfully submitted,

Registration No. 48,417

**CUSTOMER NO. 00826** ALSTON & BIRD LLP

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

aisha Richardson

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No.: 8577 In re: Barta et al. Appl. No.: 10/646,375 Group Art Unit: 2876

Filed: August 20, 2003 Examiner: Lisa M. Caputo

PARCEL DELIVERY NOTICE For:

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)

I, David A. Cornett, am an attorney of record of the disclaimant, United Parcel Service of America, Inc. (hereinafter "UPS"), and am authorized to execute this disclaimer on behalf of UPS. The disclaimant, UPS, having a principal place of business at 55 Glenlake Parkway N.E., Atlanta, GA 30328, is the owner of all right, title, and interest in the above-identified application, by Assignment filed March 23, 2001, and recorded at Reel 011626, Frame 0457.

The disclaimant hereby disclaims the terminal part of any patent granted on the aboveidentified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,634,551, issued October 21, 2003, entitled DELIVERY NOTICE AND METHOD OF USING SAME, which patent was assigned to the above-identified disclaimant by an Assignment recorded March 28, 2001, at Reel 011626, Frame 0457.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,634,551, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of U.S. Patent No. 6,634,551 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(c), has all claims canceled by a reexamination

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certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

David A. Cornett

Registration No. 48,417

Date: December 2, 2004

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